IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL TRANSFER APPL. No. 27 of 2007

SMT.GULABI @ HEMLATA
V/S
SURESH

Mr. SHYAM S.KHATRI, for the appellant / petitioner

Mr. BS RATHORE for Mr. MAHESH THANVI, for the respondent

Date of Order : 17.8.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

The petitioner seeks transfer of divorce petition from Pali to Bikaner alleging that if she goes to Pali for contesting the matter the family members of the respondent will kill them in view of the threatening by the respondent, and that the petitioner has no source of income and there is no male member in the petitioner's family except father.

In my view, there is no basis for making these submissions about danger, inasmuch as, on the other hand as appears from the F.I.R. shown to me by the petitioner's counsel that it is the wife who has lodged the F.I.R. under Section 498A at Bikaner after filing of the present divorce petition. Then, so far financial aspect is concerned,

Section 24 of the Hindu Marriage Act adequately takes care of this aspect.

In my view, in view of the latest judgment of Hon'ble the Supreme Court, in Anindita Das Vs. Srijit Das, reported in 2006(9) SCC-197, no sufficient ground for transfer is made out. The transfer application is, therefore, dismissed.

(N P GUPTA),J.

/sushil/